

1 **FINDINGS**

2 Based upon the stipulated facts and violations in the Stipulation, the Commission
3 enters the following findings.

4 1. The Commission finds that the Respondent committed a violation of RCW
5 42.17.040 by failing to properly disclose an address and time for public inspection of
6 campaign records eight days before the general election;

7 2. The Commission finds that the Respondent committed multiple violations of RCW
8 42.17.080 and .090 by
9

- 10 • Failing to timely report receipt of a \$20,000 contribution it received from
11 Washington State Council of County and City Employees on October 11, 2003.
12 • Failing to report contributions totaling \$1,800 on C-3 reports.
13 • Failing to report expenditures totaling \$2,600 on C-4 reports.
14 • Failing to timely file a post election C-4 report.
15 • Failing to file accurate reports of contributions and expenditures.
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17 3. The Commission finds that the Respondent committed a violation of RCW
18 42.17.3691 by failing to electronically file its reports of contributions and expenditures.
19

20 **ORDER**

21 The Commission orders as follows:

- 22 1. That the Stipulation of Facts, Violations and Penalty is accepted;
23 2. That a total civil penalty of \$3,000 is assessed against the Respondent;
24 3. That \$1,500 of the penalty is suspended on the condition that neither More
25 Cops Now nor any public safety ballot committee of which Mr. Troyer is an officer is found
26

1 in violation of RCW 42.17 for a period of two years from the date of this Order as determined
2 by the Full Commission.

3 **RECONSIDERATION OF FINAL ORDER - COMMISSION**

4 Any party may ask the Commission to reconsider this final order. Parties must place
5 their requests for reconsideration in writing, include the specific grounds or reasons for the
6 request, and deliver the request to the Public Disclosure Commission Office within **Twenty-**
7 **One (21) business days** of the date that the Commission serves this order upon the party.
8
9 Grounds for reconsideration shall be limited to:

- 10 a) New facts or legal authorities that could not have been brought to the commission's
11 attention with reasonable diligence. If errors of fact are alleged, the requester must
12 identify the specific evidence in the prior proceeding on which the requester is relying.
13 If errors of law are alleged, the requester must identify the specific citation; or
14
15 b) Significant typographical or ministerial errors in the order.

16 Pursuant to RCW 34.05.470, the Public Disclosure Commission is deemed to have
17 denied the petition for reconsideration if, within twenty (20) business days from the date the
18 petition is filed, the Commission does not either dispose of the petition or serve the parties
19 with written notice specifying the date by which it will act on the petition. Pursuant to RCW
20 34.05.470, the Respondent is not required to ask the Public Disclosure Commission to
21 reconsider the final order before seeking judicial review by a superior court.
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23 **FURTHER APPEAL RIGHTS – SUPERIOR COURT**

24 Pursuant to RCW 42.17.395(5), a **final order** issued by the Public Disclosure
25 Commission is subject to judicial review under the Administrative Procedures Act, chapter
26

1 34.05 RCW. The procedures are provided in RCW 34.05.510 - .598. Pursuant to RCW
2 34.05.542(2), a petition for judicial review must be filed with the superior court in Thurston
3 County or the petitioner's county of residence or principal place of business. The petition for
4 judicial review must be served on the Public Disclosure Commission and any other parties
5 within **30 days** of the date that the Public Disclosure Commission serves this final order on
6 the parties.
7

8 If reconsideration is properly sought, the petition for judicial review must be served on
9 the Public Disclosure Commission and any other parties within thirty (30) days after the
10 Commission acts on the petition for reconsideration.
11

12 **ENFORCEMENT OF FINAL ORDERS**

13 The Commission will seek to enforce this final order in superior court under RCW
14 42.17.395-.397, and recover legal costs and attorney's fees, if the penalty remains unpaid and
15 no petition for judicial review has been filed under chapter 34.05 RCW. This action will be
16 taken without further order by the Commission.

17 DATED THIS 24th day of November, 2004.

18
19 FOR THE COMMISSION:

20 _____
21 VICKI RIPPIE, Executive Director

22 *Attachment:* Stipulation of Facts, Violations and Penalty Dated October 26, 2004

23 *MAILING DATE OF THIS ORDER:*
24
25 _____
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